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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Zvi FELDMAN, et al.

Application No.: 09/991,870

Group Art Unit: 3722

Filing Date: November 26, 2001

Examiner: E. Cadugan

For: COMPUTER-CONTROLLED MILLING
MACHINE FOR PRODUCING LENSES FOR
CLIP-ON ACCESSORY

Commissioner for Patents
Washington, D.C. 20231

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
PURSUANT TO 37 C.F.R. § 1.104(e)

Sir:

In response to the Statement of Reasons for Allowance in paragraph 3 of the Examiner's Amendment and Notice of Allowability dated May 2, 2003 and issued May 5, 2003, Applicants submit the following comments.

Paragraph 3 of the Examiner's Amendment is the Examiner's Statement of Reasons for Allowance. The Examiner states, "U.S. Patent No. 3,587,390 (Lohneis et al.) is representative of the closest prior art of record to the presently-claimed invention. . . . However, Lohneis does not teach the claimed 'means adapted for maintaining the worktable in a set position' as set forth in the present specification . . . Additionally, there is no teaching of such a 'means adapted for maintaining the worktable in a set position' in the prior art of record to combine with Lohneis to arrive at the invention as set forth in independent claims 6 and 18."

Applicants believe that the Statement of Reasons for Allowance in this case is improper because Lohneis, while characterized as the "closest prior art of record" does not disclose a machine for shaping a blank to create a filter lens, which includes a drill bit unit provided with a rotatable drill bit as claimed in the present application. While Applicants believe that all of the claims are allowable and patentably distinguish over the art of record, Applicants do not acquiesce that patentability resides only in each of the listed features (exactly as expressed in the claims), nor that each and every feature is required for patentability.

EXCEPT for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

Dated: August 5, 2003
MORGAN, LEWIS & BOCKIUS LLP
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Washington, DC 20004
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/991,870 | 11/26/2001 | Zvi Feldman | 053332-5002 | 3265 |

TITLE OF INVENTION: COMPUTER-CONTROLLED MILLING MACHINE FOR PRODUCING LENSES FOR CLIP-ON ACCESSORY

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | YES | \$650 | \$300 | \$950 | 08/05/2003 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|------------------|----------|----------------|
| CADUGAN, ERICA E | 3722 | 029-02600A |

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *Mary Jane Boswell* (Date) *8/5/03*

Mary Jane Boswell Reg. No. 33,652

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